1951

File No. B. Essen. commodities/51
Legal Department
B BRANCH

Subject:—

L. A. Bill No. L of 1951

A Bill to amend the Bombay Essential Commodities and Cattle Control Act, 1946.

P9/E

Bom. Act No. XXXVII of 1951.

File No. B. Essen. commodities/51

Gen. 194 e.

824-B

Office of the R.L.A.

Revised drafts of the Bill and the Statement of Objects and Reasons are sent herewith.

The Bill does not require any sanction or recommendation.

Sd/-G J.R.Khurandhar.
12-6

Remembrancer of Legal Affairs.

U.R. to C.S.D.,No. 9309, dated the 13th June 1951.

S.A.K.
20-7
4 copies

24/7
K.S.R.
24/7

OFFICE OF THE R.L.A.

The decision of the Cabinet that orders of a general nature should also be published in the manner prescribed by rules although it might cause some inconvenience to the Department is to the benefit of the subject to whom generally the Official Gazette is not available. To give effect to that decision a new draft Bill is sent herewith. The C.S.D. should revise the Statement of Objects and Reasons accordingly.

Sd/-J.R.Dhurandhar.
30-7

Remembrancer of Legal Affairs.

U.H. to C.S.D.No. 12184 , dated the 30th July 1951.

S.A.K.
20-7
4 copies

No. 16254
-Legal Department,
Bombay Castle (Bombay No. 1). 13th October 1951.

From

Shri J.R.Dhurandhar,
Secretary to the Giverament of Bombay.

To

The Secretary to the Governor of Bombay.

Subject:- The Bombay Essential Commodities and Kerosene Cattle (Control) (Amendment) Bill, 1951 .

Sir,

With reference to article 200 of the Constitution of India I am directed to forward herewith for the assent of His Excellency the Governor the authentic copy of the Bombay Essential Commodities and Cattle (Control)(Amendment) Bill, 1951, which was read for the third time and passed at the meetings of the Bombay Legislative Assembly and the Bombay Legislative Council held on the 21st and the 26th September 1951, respectively.

2. The subject-matter of the Bill falls under entries 26 and 27 in List II and entries 7 and 34 in List III in the Seventh Schedule to the Constitution of India. It is not necessary to reserve the Bill for the consideration of the President with reference to article 31(3) or 254(2) or any other article of the Constitution of India .

3. The date on which His Excellency the Governor's assent is given may kindly be entered in the endorsement.

4. I also forward herewith one copy of each of the items

	Nos. 1,2
1. Bill as introduced in the Bombay Legislative Assembly with the statement of Object and Reasons.	and 4 and
2. Bill as read for the third time and passed by the Bombay Legislative Assembly and as introduced in the Bombay Legislative Council.	two copies of item
3. Bill as read for the third time and passed by the Bombay Legislative Council.	No. 3 of the papers
4. Extracts from the proceedings of the Bombay Legislative Assembly dated the 21st September 1951 and of the Bombay Legislative Council dated the 26th September 1951.	noted in the margin.

The Bill was not referred to a Select Committee.

Yours faithfully,

Sd/-J.R.DHURANDHAR,

Sd/-J.R.Dhuramdhar.
12-10

Secretary to Government.

Copy forwarded with compliments to the Secretary to the Government Bombay. Civil Supplies Department.

S.A.K
20-7
4 copies

No. G.S. -2717

FROM

THE SECRETARY TO THE GOVERNOR OF BOMBAY.

TO

The Secretary to Government.

Legal Department.

GOVERNMENT HOUSE .

GANESHKHIND. October 16. 1951

Poona 7;

Subject: The Bombay Essential Commodities and Cattle (Control) (Amendment) Bill. 1951

Sir,

With reference to your letter No. 16254. dated October 13. 1951. I am directed to return herewith the authentic copy of the Bombay Essential Commodities and Cattle (Control) (Amendment)Bill. 1951. with His Exx Excellency the Governor's assent signified thereon.

Yours faithfully.

Sd/-

Secretary to the Governor of Bombay.

S.A.K.
20-7
4 copies

ACTS:
Publication of the Bombay Essential Commodities and Cattle (Control) (Amendment) Act, 1951.

GOVERNMENT OF BOMBAY.
Legal Department.
Resolution No. 16683
Bombay Castle, 20th October 1951.

Letter to the Secretary to the Governor , No. 16254, dated the 13th October 1951.

Letter from the Secretary to the Governor, No. G.S. 2717, dated the 16th October 1951.

"With reference to your letter No. 16254, dated 13 October 13, 1951, I am directed to return herewith the authentic copy of the Bombay Essential Commodities and Cattle (Control) Amendment Bill, 1951, with His Excellency the Governor's assent signified thereon."

RESOLUTION:- The Law should be published as Bombay Act No. XXXVII of 1951, in the Bombay Government Gazette dated the 20th October 1951.

2. The Act should be translated into Marathi, Gujarati, Kannada and Hindi (in Devnagari script) and the translations should be published in the Bombay Government Gazette.

3. A copy of the Act should be forwarded to the Civil Supplies Department.

Sd/-S.L.Chaudhari

By order of the Governor of Bombay,

Sd/-S.L.CHAUDHARI

Deputy Secretary to Government.

To

The Manager Government Central Press, Bombay (with a copy of the Act and with a request that 30 Gaz-ette copies of the Act may be forwarded to the Legal Department and 10 copies to the Civil Supplies Department).
The Civil Supplies Department,)
The Oriental Translator to Government) With a copy of
The Bombay Legislature Department.) the Act.
The Director of Publicity, Bombay,)
The Enquiry Officer for the Secretariat Bombay.)

---

*With four extra copies of the Act

S.A.K.
20-7

ACTS:
Publication of the Bombay Essential Commodities and Cattle (Control) (Amendment) Act, 1951.

GOVERNMENT OF BOMBAY.
Legal Department.
Resolution No. 16683
Bombay Castle, 20th October 1951.

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Sd/-S.L.Chaudhari

By order of the Governor of Bombay,

Sd/-S.L.CHAUDHARI

Deputy Secretary to Government.

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The Manager Government Central Press, Bombay (with a copy of the Act and with a request that 30 Gazette copies of the Act may be forwarded to the Legal Department and 10 copies to the Civil Supplies Department).
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The Bombay Legislature Department.) the Act.
The Director of Publicity, Bombay.)
The Enquiry Officer for the Secretariat Bombay.)

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*With four extra copies of the Act

S.A.K.
20-7

REGISTERED No. B-1

131

The
Bombay Government Gazette
PUBLISHED BY AUTHORITY
WEDNESDAY, 4TH OCTOBER 1950.
Separate paging is given to this part in order that it may be filed as a separate compilation.

PART V

[To be translated into Marathi, Gujarati, Kannada and Hindi (in Devnagari script) and the translations to be published in the " Bombay Government Gazette". The dates of publication to be reported.]

The following Bill is published under the proviso to rule 80 of the Bombay Legislative Assembly Rules :—

L. A. BILL No. L OF 1950.

A Bill to provide for the travelling allowance to the members of the Bombay Legislature.

WHEREAS it is expedient to make provision for the payment of travelling allowance to the members of the Bombay Legislature ; It is hereby enacted as follows :—

1. This Act may be called the Bombay Legislature Members' Travelling Allowance Act, 1950. Short title.

2. (*1*) With effect from the 26th day of January 1950, there shall be paid to each member of the Bombay Legislative Assembly and the Bombay Legislative Council, a travelling allowance for journey undertaken for the purpose of attending the session of such Assembly or Council or the meeting of a committee of such Assembly or Council to the place where such session or meeting is held and for return journey from such place— Travelling allowance to be paid to members.

(i) at such rate not exceeding double the fare of such class provided on a railway or steamer, as may be prescribed by rules made by the State Government, and

(ii) at such rate per mile for journey by road, sea or river in addition to the journey by railway or steamer, as may likewise be prescribed by the State Government :

Provided that nothing in this sub-section shall entitle a member to travelling allowance, if such member ordinarily resides or carries on business at the place where such session or meeting is held.

(*2*) Notwithstanding anything contained in sub-section (*1*), there shall be paid to each member a conveyance allowance at the rate of Rs. 3 per day for each day on which he attends such session or meeting.

Minister, Speaker, Chairman or Parliamentary Secretary not entitled to travelling allowance under this Act.

3. Notwithstanding anything contained in this Act, a Minister of the Government of Bombay, the Speaker of the Bombay Legislative Assembly, the Chairman of the Bombay Legislative Council or a Parliamentary Secretary to any Minister shall not be entitled to any travelling allowance under this Act by reason of the fact that such Minister, Speaker, Chairman or Parliamentary Secretary is a member of the Bombay Legislative Assembly or Council.

Power of State Government to make rules.

4. (*1*) The State Government may make rules for the purpose of carrying out the purposes of this Act.

(*2*) Any rule made under this section may be made so as to be retrospective to any date not earlier than the commencement of the Constitution of India.

(*3*) Rules made under this section shall have effect as if enacted in this Act.

Avoidance of doubt.

5. For the avoidance of doubt it is hereby declared that nothing in this Act shall affect the right of a member of the Bombay Legislative Assembly or the Bombay Legislative Council to receive as such member, the salary and the daily allowance which he is entitled to receive under article 195 of the Constitution at the rates and upon the conditions provided by or under the Bombay Legislature Members' Salaries and Allowances Act, 1937, or the Bombay Legislature Members' Daily Allowance Act, 1950, as the case may be.

Bom. III of 1937. Bom. XXI of 1950.

STATEMENT OF OBJECTS AND REASONS.

Immediately before the commencement of the Constitution the members of the Bombay Legislature were entitled to travelling allowances at the rates and upon the conditions laid down in the Bombay Legislature Members' Salaries and Allowances Act, 1937, and the rules made thereunder. In view of certain changes in the classification of accommodation provided on the Railways, it is proposed to replace the provisions of the said Act relating to travelling allowances, with suitable modifications, by an Act of the State Legislature as contemplated by article 195 of the Constitution.

Dated the 4th October 1950. (Signed) D. N. DESAI.

By order of the Governor of Bombay,

J. R. DHURANDHAR,
Additional Secretary to the Government of Bombay,
Legal Department.

Poona, dated the 4th October 1950.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS

161

L. A. BILL No. XLIX OF 1950.

A Bill to provide for the establishment and maintenance of a Contingency Fund in the State of Bombay.

(As read for the third time and passed by the Legislative Assembly on the 17th October 1950.)

(As returned by the Legislative Council without recommendations on the 25th October 1950.)

WHEREAS it is expedient to provide for the establishment and maintenance of a Contingency Fund in the State of Bombay;

AND WHEREAS the Legislature of the State, by clause (2) of Article 267 and clause (2) of Article 283 of the Constitution of India, has been empowered by law to establish and maintain such Fund; It is hereby enacted as follows :—

Short title.

1. This Act may be called the Bombay Contingency Fund Act, 1950.

Establishment of the Contingency Fund of the State.

2. There shall be established a Contingency Fund in the nature of an imprest entitled the Contingency Fund of the State, into which shall be paid from and out of the Consolidated Fund of the State of Bombay a sum of three crores of rupees.

Custody of the Contingency Fund and withdrawals therefrom.

3. The Contingency Fund of the State shall be held on behalf of the Governor by the Secretary to the Government of Bombay in the Finance Department, and no advances shall be made out of such Fund except for the purposes of meeting unforeseen expenditure pending authorisation of such expenditure by the Legislature under appropriations made by law.

Power to make rules.

4. For the purposes of carrying out the objects of this Act, the State Government may make rules regulating all matters connected with or ancillary to the custody of, the payment of moneys into, and withdrawals of moneys from, the Contingency Fund of the State.

MO-I Bk Hb 327

Government of Bombay

LEGAL DEPARTMENT

[L. A. Bill No. XLIX OF 1950.]

(As read for the third time and passed by Legislative Assembly on the 17th October 1950.)

(As returned by the Legislative Council without recommendations on the 25th October 1950.)

A Bill to provide for the establishment and maintenance of a Contingency Fund in the State of Bombay.

[Shri VAIKUNTH L. MEHTA, M.L.A.]

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Registered No. B-1

The

Bombay Government Gazette

PUBLISHED BY AUTHORITY

THURSDAY, 23RD NOVEMBER 1950.

Separate paging is given to this Part in order that it may be filed as a separate compilation

PART IV

Acts of the Bombay Legislature and Ordinances promulgated and Regulations made by the Governor.

CONTENTS.

	PAGES
BOMBAY ACT No. XLV OF 1950—An Act to provide for the travelling allowance to the members of the Bombay Legislature	510-511

The following Act of the Bombay Legislature having been assented to by the Governor on the 19th November 1950 is hereby published for general information.

J. R. DHURANDHAR,
Additional Secretary to the Government of Bombay,
Legal Department.

BOMBAY ACT No. XLV OF 1950.

(First published, after having received the assent of the Governor, in the "Bombay Government Gazette" on the 23rd November 1950.)

An Act to provide for the travelling allowance to the members of the Bombay Legislature.

WHEREAS it is expedient to make provision for the payment of travelling allowance to the members of the Bombay Legislature; It is hereby enacted as follows :—

1. This Act may be called the Bombay Legislature Members' Travelling Allowance Act, 1950. Short title.

2. (*1*) With effect from the 26th day of January 1950, there shall be paid to each member of the Bombay Legislative Assembly and the Bombay Legislative Council, a travelling allowance for journey undertaken for the purpose of attending the session of such Assembly or Council or the meeting of a committee of such Assembly or Council to the place where such session or meeting is held and for return journey from such place— Travelling allowance to be paid to members.

(i) at the rate of one and one half of the fare of such class provided on a railway or steamer, as may be prescribed by rules made by the State Government, and

(ii) at such rate per mile for journey by road, sea or river in addition to the journey by railway or steamer, as may likewise be prescribed by the State Government:

Provided that nothing in this sub-section shall entitle a member to travelling allowance, if such member ordinarily resides or carries on business at the place where such session or meeting is held.

(2) Notwithstanding anything contained in sub-section (1), there shall be paid to each member a conveyance allowance at the rate of Rs. 3 per day for each day on which he attends such session or meeting.

Minister, Speaker, Chairman or Parliamentary Secretary not entitled to travelling allowance under this Act.

3. Notwithstanding anything contained in this Act, a Minister of the Government of Bombay, the Speaker of the Bombay Legislative Assembly, the Chairman of the Bombay Legislative Council or a Parliamentary Secretary to any Minister shall not be entitled to any travelling allowance under this Act by reason of the fact that such Minister, Speaker, Chairman or Parliamentary Secretary is a member of the Bombay Legislative Assembly or Council.

Power of State Government to make rules.

4. (1) The State Government may make rules for the purpose of carrying out the purposes of this Act.

(2) Any rule made under this section may be made so as to be retrospective to any date not earlier than the commencement of the Constitution of India.

(3) Rules made under this section shall have effect as if enacted in this Act.

Avoidance of doubt.

5. For the avoidance of doubt it is hereby declared that nothing in this Act shall affect the right of a member of the Bombay Legislative Assembly or the Bombay Legislative Council to receive as such member, the salary and the daily allowance which he is entitled to receive under article 195 of the Constitution at the rates and upon the conditions provided by or under the Bombay Legislature Members' Salaries and Allowances Act, 1937, or the Bombay Legislature Members' Daily Allowance Act, 1950, as the case may be.

Bom. III of 1937. Bom. XXI o 1950

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.